

**Introduced by Senator Runner**

February 15, 2007

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An act to add Sections 66025.8 and 68075.3 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 272, as introduced, Runner. Public postsecondary education: Armed Forces service.

(1) Existing law requires each segment of public higher education to establish, and update as necessary, a written policy concerning students who are called to active military service, as specified. Existing law grants to qualifying members of the National Guard, the State Military Reserve, and the Naval Militia an entitlement to academic leave when active duty, as defined, interrupts college attendance for the purpose of pursuing an undergraduate degree.

This bill would require any member of the Armed Forces of the United States to be given priority in the enrollment of classes at the California State University and the California Community Colleges for the first semester attended at one of these institutions after leaving active duty, if the student enrolls and begins attending classes within one year of leaving active duty. The bill would also require any student of the California State University or the California Community Colleges who is called to active military duty compelling the student to take an academic leave of absence to be given priority in the enrollment of classes for the first semester the student resumes studies at the same postsecondary educational institution.

(2) Existing law establishes uniform student residency requirements for purposes of ascertaining the amount of tuition and fees to be paid by students of public postsecondary education institutions. Existing law

entitles an undergraduate student at the California State University or the California Community Colleges to resident classification for the purpose of determining tuition and fees, if that student is a member of the Armed Forces of the United States stationed in this state on active duty. Existing law entitles a graduate student at a California State University to resident classification for the purpose of determining tuition and fees, for no more than one academic year, if that student is a member of the Armed Forces of the United States stationed in this state on active duty. Members of the Armed Forces assigned for educational purposes to a state-supported institution of higher education are exempted from these residency classifications. Existing law requests the Regents of the University of California to establish the same residency requirements for students enrolled at the University of California. Existing law also entitles a student who was a member of the Armed Forces of the United States stationed in the state on active duty for more than one year immediately prior to being discharged from the Armed Forces to resident classification, as specified.

This bill would entitle a student seeking an undergraduate or graduate degree who begins or resumes attending classes less than one year after leaving active duty as a member of the Armed Forces of the United States, whether stationed in or outside of the state, to resident classification for all academic years that the student attends that institution for the purpose of determining the amount of tuition and fees, but for no other purpose.

Insofar as the bill would impose costs on the California Community Colleges in evaluating an individual's eligibility for resident classification, the bill would impose a state-mandated local program.

(3) This bill would request the Regents of the University of California to establish the same rules for students enrolled at the University of California as those established by this bill.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 66025.8 is added to the Education Code,  
2 to read:

3     66025.8. (a) Any member of the Armed Forces of the United  
4 States shall be given priority in the enrollment of classes at the  
5 California State University and the California Community Colleges  
6 for the first semester attended at one of these institutions after  
7 leaving active duty, if the student enrolls and begins attending  
8 classes within one year of leaving active duty.

9     (b) Any student of the California State University or the  
10 California Community Colleges who is called to active military  
11 duty compelling the student to take an academic leave of absence  
12 shall be given priority in the enrollment of classes for the first  
13 semester the student resumes studies at the same postsecondary  
14 educational institution.

15     SEC. 2. Section 68075.3 is added to the Education Code, to  
16 read:

17     68075.3. A student seeking an undergraduate or graduate degree  
18 who begins or resumes attending classes less than one year after  
19 leaving active duty as a member of the Armed Forces of the United  
20 States, whether stationed in or outside of the state, is entitled to  
21 resident classification for all academic years that the student attends  
22 that institution for the purpose of determining the amount of tuition  
23 and fees, but for no other purpose.

24     SEC. 3. The Legislature hereby requests the Regents of the  
25 University of California to establish the same rules for students  
26 enrolled at the University of California as those enacted by Sections  
27 1 and 2 of this act.

28     SEC. 4. If the Commission on State Mandates determines that  
29 this act contains costs mandated by the state, reimbursement to  
30 local agencies and school districts for those costs shall be made  
31 pursuant to Part 7 (commencing with Section 17500) of Division  
32 4 of Title 2 of the Government Code.